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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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January 22, 2008
Date

Maureen Capozzi
Maureen Capozzi
IP Paralegal

Applicant: Grabelsky et al.

Serial No.: 09/584,616

Art Unit: 2616

Filed: May 31, 2000

Examiner: Shick C. Hom

Attorney Docket No.: 2876-US-CIP

Title: METHOD FOR ADDRESS MAPPING IN A NETWORK ACCESS SYSTEM AND A NETWORK
ACCESS DEVICE FOR USE THEREWITH

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW A HOLDING OF ABANDONMENT BASED ON FAILURE TO RECEIVE
OFFICE LETTER. No fee required.**

Sir:

In response to the Notice of Abandonment dated December 13, 2007, due to failure to file a timely response to the Office letter mailed on September 11, 2007, applicant believes this holding of abandonment to be in error because applicant did not receive said letter. Applicant has searched the file jacket and docket records and no record of this action exists. A copy of the docket record where the nonreceived Office letter would have been entered had it been received and docketed is enclosed as Exhibit A. Furthermore, as shown on Exhibit B, Office letter dated September 11, 2007, does not appear in Private PAIR. Applicant requests withdrawal of holding of abandonment.

- [X] Copy of Notice of Abandonment (2 pgs);
- [X] Exhibit A - Copy of Docket Report (2 pgs);
- [X] Exhibit B - Copy of Private PAIR Image File Wrapper (3 pgs).

Respectfully submitted,

Date: 1-22-2008

By: 

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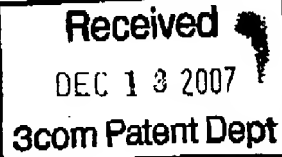
JAN 22 2008



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/584,516	05/31/2000	David A. Grabelsky	2876-US-CIP	1984
7590 12/13/2007 3COM CORPORATION 350 CAMPUS DRIVE MARLBOROUGH, MA 01752-3064			EXAMINER	
			HOM, SHICK C	
			ART UNIT	PAPER NUMBER
			2616	
			MAIL DATE	DELIVERY MODE
			12/13/2007	PAPER



Notice of Abandonment

This application is abandoned in view of:

- ☒ The applicant's failure to timely file a proper reply to the Office letter mailed on 9-11-07.
 - ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the period for reply (including a total extension of _____ month(s)) which expired on _____.
 - ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of:
 - a timely filed amendment which places the application in condition for allowance;
 - a timely filed Notice of Appeal (with appeal fee);
 - a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box e below).
 - ☒ No reply has been received.
- ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
The issue fee required by 37 CFR 1.18 is \$ _____.
The publication fee, if required by 37 CFR 1.18(d), is \$ _____.
 - ☐ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - ☐ No corrected drawing have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

Petitions to revive under 37 CFR 1.137(a) or (b), or request to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management

Attachment to Notice of Abandonment

For questions concerning the notice contact

Office of Patent Publication

Image Assistance Center: 888-786-0101.

Information is also available on the USPTO Internet web site:
<http://www.uspto.gov/web/patents/pubs/abandonnotice.html>

Respond to the Notice of Abandonment by one of the following:

1. Petition To Withdraw Holding of Abandonment (See MPEP 711.03(c) I and 37 CFR § 1.181) No fee required

Where an applicant contends that the application is not in fact abandoned (e.g., a reply was in fact filed), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action. Any petition under 37 CFR § 1.181 to withdraw the holding of abandonment not filed within 2 months of the mail date of a Notice of Abandonment may be dismissed as untimely under 37 CFR § 1.181(f). In order for a petition to be granted, the evidence must be sufficient according to 37 CFR § 1.8(b) Certificate of Mailing 37 CFR § 1.10 "Express Mail" mailing or MPEP 503 Postcard Receipt as Prima Facie Evidence. The petition should be addressed as follows:

By mail: Mail Stop: Issue Fee, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By facsimile: 571-273-8300

2. Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office Action (MPEP 711.03(c) II and 37 CFR § 1.181). No fee required

Where an applicant contends that the original Notice of Allowance and Fee(s) Due was never received, if adequately supported, the Office may grant the petition and reissue the Office action. The showing required establishing non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.

Petition should be addressed to the Technology Center handling the application as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By facsimile: 571-273-8300

3. Petition To Revive An Abandoned Application (See MPEP 711.03(c) III)

Where there is no dispute as to whether an application is abandoned (e.g., the applicant's contentions merely involve the cause of abandonment) a petition under 37 CFR § 1.137 (a) or (b) (accompanied by the appropriate petition fee) is necessary to revive the abandoned application. The text of these rules is available on the USPTO Internet Web site. Forms for these petitions, "Petition For Revival Of An Application For Patent Abandoned Unavoidably Under 37 CFR § 1.137(a)," PTO/SB/61, and "Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)," PTO/SB/64, are available in the forms section of the USPTO website: <http://www.uspto.gov>.

Petitions under 37 CFR § 1.137 should be addressed to the Office of Petitions as follows:

By mail: Mail Stop Petition, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By facsimile: 571-273-8300

Note: Abandonment takes place by operation of law for failure to reply to an Office action or timely pay the issue fee, not by operation of the mailing of a Notice of Abandonment

Revised Sept. 2006

Exhibit A

Country Application

Tuesday, January 22, 2008

Page: 1

Docket Number: 2876.US.CIP**Country:** US**SubCase:****Division:** Carrier Systems

United States of America

Case Type: CIP**Application Status:** Pending**Application Number:** 09/584,516**Filing Date:** 31-May-2000**Publication Number:****Publication Date:****Patent Number:****Issue Date:****Parent/PCT Number:****Parent/PCT Date :****Parent Issue Number:****Parent Issue Date :****Class:****Sub Class:****Tax Schedule:****Expiration Date:** 26-May-2020**Confirmation #:****Patent Term Adjustment:** 625**Owner:** 3COM

3Com Corporation

Agent: 3COM**Agent Reference #:** MBHB00-011

3Com Corporation

App.Title: Method For Address Mapping In A Network Access System and A Network Access Device For Use Therewith**Family Reference:****Inventors:**

Grabelsky, David

Borella, Michael

Dynarski, Richard J.

Poplett, John

Remarks: 12.13.07 Notice of Abandonment - failure to respond to letter mailed on 9-11-07.
11.02.07 Notice of Acceptance of POA.
10.29.07 Paid Issue Fee, filed Change of Address, POA.
8.7.07 Fax from MBHB with Notice of Allowance.
5.14.07 Letter from MBHB with copy of response to OA as filed.
1.22.07 AJC instructed MBHB re OA.
1.19.07 Letter from MBHB with copy of response to OA as filed.
12.14.07 OA.
According to MBHB status report - response to OA filed 9.7.06.
6.20.06 OA received from MBHB.

Country Application

Tuesday, January 22, 2008

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List Of Actions

Action(s) Due	Due Date		Action Taken
1 Month to Due Date-MBHB	07-Aug-2006	Reminder	07-Aug-2006
3 Month Due Date-MBHB	07-Sep-2006	Due Date	07-Sep-2006
1st Extension-MBHB	07-Oct-2006	Due Date	07-Oct-2006
2nd Extension-MBHB	07-Nov-2006	Due Date	07-Nov-2006
2 Weeks to Final Date-MBHB	22-Nov-2006	Due Date	07-Sep-2006
6 Month Final-MBHB	07-Dec-2006	Final	07-Sep-2006
3 Month Due Date-MBHB instr.	14-Mar-2007	Due Date	14-Mar-2007
1st Extension-MBHB instr.	14-Apr-2007	Due Date	14-Apr-2007
2nd Extension-MBHB instr.	14-May-2007	Due Date	14-May-2007
6 Month Final-MBHB instr.	14-Jun-2007	Final	14-May-2007
Fee Due in 1 Month	01-Oct-2007	Reminder	29-Oct-2007
Issue Fee Due	01-Nov-2007	Final	29-Oct-2007
US-Allowance Follow Up Date	29-Apr-2008	Due Date	

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User ID: Maureen

Date Created: 22-Dec-1999

Last Update: 22-Jan-2008

Exhibit D

09/584,516

METHOD FOR ADDRESS MAPPING IN A NETWORK ACCESS SYSTEM AND A NETWORK ACCESS DEVICE FOR USE THEREWITH

01-03-

2008::14:16:09

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click Start Download.

Available Documents

Mail Room Date	Document Code	Document Description	Document Category	Page Count
12-13-2007	ABN	Abandonment	PROSECUTION	1
11-06-2007	BIB	Bibliographic Data Sheet	PROSECUTION	1
11-02-2007	N570	Communication - Re: Power of Attorney (PTOL-308)	PROSECUTION	1
11-02-2007	N570	Communication - Re: Power of Attorney (PTOL-308)	PROSECUTION	1
10-29-2007	IFEE	Issue Fee Payment (PTO-85B)	PROSECUTION	1
10-29-2007	PA.	Power of Attorney	PROSECUTION	1
10-29-2007	R3.73B	Assignee showing of ownership per 37 CFR 3.73(b).	PROSECUTION	1
10-29-2007	C.AD	Change of Address	PROSECUTION	1
10-29-2007	LET.	Miscellaneous Incoming Letter	PROSECUTION	1
10-29-2007	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	2
10-29-2007	N417	Status Letter Mailed to Applicant	PROSECUTION	3
10-29-2007	LET.	Miscellaneous Incoming Letter	PROSECUTION	1
08-01-2007	NOA	Notice of Allowance and Fees Due (PTOL-85)	PROSECUTION	3
08-01-2007	NOA	Notice of Allowance and Fees Due (PTOL-85)	PROSECUTION	1
08-01-2007	IIFW	Issue Information including classification, examiner, name, claim, renumbering, etc.	PROSECUTION	1
08-01-2007	FWCLM	Index of Claims	PROSECUTION	1
08-01-2007	SRFW	Search information including classification, databases and other search related notes	PROSECUTION	1
07-11-2007	SRNT	Examiner's search strategy and results	PROSECUTION	1
07-10-2007	SRNT	Examiner's search strategy and results	PROSECUTION	1
05-18-2007	DISQ	Terminal Disclaimer Approval form used within the USPTO	PROSECUTION	1
05-14-2007	A...	Amendment - After Non-Final Rejection	PROSECUTION	1
05-14-2007	CLM	Claims	PROSECUTION	7
05-14-2007	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	4
05-14-2007	DIST	Terminal Disclaimer Filed	PROSECUTION	2
05-14-2007	XT/	Extension of Time	PROSECUTION	2
05-14-2007	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	2
05-14-2007	N417	Status Letter Mailed to Applicant	PROSECUTION	2
05-14-2007	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1
12-14-2006	CTNF	Non-Final Rejection	PROSECUTION	13
12-14-2006	892	List of references cited by examiner	PRIOR ART	1
12-14-2006	SRFW	Search information including classification, databases and other search related notes	PROSECUTION	1
12-14-2006	FWCLM	Index of Claims	PROSECUTION	1
11-28-2006	SRNT	Examiner's search strategy and results	PROSECUTION	1
09-07-2006	A...	Amendment - After Non-Final Rejection	PROSECUTION	2
09-07-2006	CLM	Claims	PROSECUTION	7
09-07-2006	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	2
09-07-2006	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1
06-07-2006	CTNF	Non-Final Rejection	PROSECUTION	6
06-07-2006	1449	List of References cited by applicant and considered by examiner	PRIOR ART	3
06-07-2006	892	List of references cited by examiner	PRIOR ART	1
06-07-2006	FWCLM	Index of Claims	PROSECUTION	1
06-07-2006	SRFW	Search information including classification, databases and other search related notes	PROSECUTION	1
05-16-2006	SRNT	Examiner's search strategy and results	PROSECUTION	2
02-28-2006	A...	Amendment - After Non-Final Rejection	PROSECUTION	1
02-28-2006	CLM	Claims	PROSECUTION	7
02-28-2006	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	1

02-28-2006	LET.	Miscellaneous Incoming Letter	PROSECUTION	1
02-28-2006	XT/	Extension of Time	PROSECUTION	1
02-28-2006	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1
10-28-2005	CTNF	Non-Final Rejection	PROSECUTION	5
10-28-2005	892	List of references cited by examiner	PRIOR ART	1
10-28-2005	FWCLM	Index of Claims	PROSECUTION	1
10-28-2005	SRFW	Search information including classification, databases and other search related notes	PROSECUTION	1
10-24-2005	SRNT	Examiner's search strategy and results	PROSECUTION	1
08-12-2005	A...	Amendment - After Non-Final Rejection	PROSECUTION	2
08-12-2005	CLM	Claims	PROSECUTION	10
08-12-2005	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1
07-13-2005	CTMS	Miscellaneous Action with SSP	PROSECUTION	3
04-25-2005	CLM	Claims	PROSECUTION	1
03-29-2005	A...	Amendment - After Non-Final Rejection	PROSECUTION	2
03-29-2005	CLM	Claims	PROSECUTION	10
03-29-2005	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	1
03-29-2005	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1
03-29-2005	WCLM	Claims Worksheet (PTO-2022)	PROSECUTION	1
12-29-2004	CTNF	Non-Final Rejection	PROSECUTION	12
12-29-2004	892	List of references cited by examiner	PRIOR ART	1
12-29-2004	FWCLM	Index of Claims	PROSECUTION	1
12-29-2004	SRFW	Search information including classification, databases and other search related notes	PROSECUTION	1
10-25-2004	DISQ	Terminal Disclaimer Approval form used within the USPTO	PROSECUTION	1
08-31-2004	A...	Amendment - After Non-Final Rejection	PROSECUTION	1
08-31-2004	SPEC	Specification	PROSECUTION	1
08-31-2004	CLM	Claims	PROSECUTION	6
08-31-2004	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	4
08-31-2004	DIST	Terminal Disclaimer Filed	PROSECUTION	1
08-31-2004	TRTC	Transmittal to TC	PROSECUTION	1
08-31-2004	XT/	Extension of Time	PROSECUTION	1
07-01-2004	SRNT	Examiner's search strategy and results	PROSECUTION	27
07-01-2004	SRNT	Examiner's search strategy and results	PROSECUTION	140
03-01-2004	CTNF	Non-Final Rejection	PROSECUTION	13
03-01-2004	892	List of references cited by examiner	PRIOR ART	1
03-01-2004	1449	List of References cited by applicant and considered by examiner	PRIOR ART	11
06-03-2002	IDS	Information Disclosure Statement (IDS) Filed	PROSECUTION	7
01-02-2001	LET.	Miscellaneous Incoming Letter	PROSECUTION	3
01-02-2001	OATH	Oath or Declaration filed	PROSECUTION	3
01-02-2001	XT/	Extension of Time	PROSECUTION	1
09-20-2000	IDS	Information Disclosure Statement (IDS) Filed	PROSECUTION	5
08-18-2000	CTMS	Miscellaneous Action with SSP	PROSECUTION	1
05-31-2000	LET.	Miscellaneous Incoming Letter	AS FILED	56
05-31-2000	IIFW	Issue Information including classification, examiner, name, claim, renumbering, etc.	PROSECUTION	1
05-31-2000	SRFW	Search information including classification, databases and other search related notes	PROSECUTION	1
05-31-2000	FWCLM	Index of Claims	PROSECUTION	1
05-31-2000	TRNA	Transmittal of New Application	PROSECUTION	3
05-31-2000	DRW	Drawings-only black and white line drawings	PROSECUTION	12
05-31-2000	SPEC	Specification	PROSECUTION	33
05-31-2000	CLM	Claims	PROSECUTION	7
05-31-2000	ABST	Abstract	PROSECUTION	1
05-31-2000	BIB	Bibliographic Data Sheet	PROSECUTION	2
05-31-2000	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1
05-31-2000	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1

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